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ABSTRACT

To assess the impact of police unionism on the operation and administration of police departments, in-depth field surveys of active police unions were conducted in the summer and fall of 1971 in 22 cities where police unions were active. In the summary report the development of police unions is discussed, and the sources and dimensions of union power are outlined. The report examines the impact of police unionism on labor relations, police professionalism, the authority of the chief, and the formulation of law enforcement policy. The growth of black officers' organizations, in both complementary and adversary relationships with existing police unions, is also explored. The study stresses the indirect impact of police unions on such areas as departmental policy-making, citing "the extent to which the police and other chief officials have failed to take action because of anticipated reactions from the union." The report concludes that, in the formulation of law enforcement policy, "the union, regardless of motivation, was essentially a conservative, reactionary force." Appended to the document is a six-page bibliography. (Author/BP)

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THE IMPACT OF POLICE UNIONS

SUMMARY REPORT

By

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FOREWORD

BEST COPY AVAILABLE

The growth of police unionism in the United States during the 1960's is a phenomenon of considerable importance in law enforcement. The four national police unions now report a total membership of close to 300,000, and this figure does not include those officers belonging to police affiliates of other major unions. This summary report of a longer study highlights the significance and implications of that growth.

To assess the impact of unionism on the operation and administration of police departments, the authors conducted in-depth field surveys in 22 cities where police unions are active. They discuss the development of police unions and outline the sources and dimensions of union power.

The report examines the impact of police unionism on labor relations, police professionalism, the authority of the chief and the formulation of law enforcement policy. The growth of black officers' organizations, in both complementary and adversary relationships with existing police unions, is also explored.

Since more than 80 percent of police department budgets, on a national average, are committed to salaries, the impact of police unions would merit study were it limited to salary negotiation alone. As the authors demonstrate, however, its range is far broader. The study stresses the indirect impact of police unions on such areas as departmental policy-making, citing "the extent to which the police and other chief officials have failed to take action because of anticipated reactions from the union."

While one may disagree with the report's conclusion that, in the formulation of law enforcement policy, "the union, regardless of motivation, was essentially a conservative, reactionary force," this, perhaps more than any other issue raised, requires thoughtful and prolonged consideration by those concerned with improving the quality of police service.

Gerald M. Caplan
Director
National Institute of Law Enforcement
and Criminal Justice

The full report, The Impact of Police Unions *(Accession No. PB 217223; price, $3.00), is available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22151.*

THE SCOPE AND METHOD OF THE STUDY

OBJECTIVES

The object of this study was to learn something about the impact of police unions on police agencies; however, we found that to study impact we first had to examine the whole spectrum of labor-management relations. Specifically, we gathered data in six areas:

1. The nature of police employee organizations;
2. The structure, scope, and process of police labor relations, including the use of power by police unions;
3. The impact of police unions on the potential for professionalization of police service;
4. The impact of police unions on the chief's ability to manage the police department;
5. The impact of police unions on law enforcement policy formulation in the community;
6. The relationship between police unions and black officer organizations.

METHODOLOGY

Our information was obtained primarily via a field study in 22 cities selected on the basis of information contained in questionnaires received from approximately 50 cities. During field visits (which were usually of four to five days duration), information was collected in interviews with the police chief or his representative(s), city labor relations representatives, police union leaders, and black officer organization leaders (where such an organization existed). In all, 137 interviews were conducted in the summer and fall of 1971.

In these field visits the authors used an issue-oriented data-gathering approach. That is, the field investigator, usually through archival research in local newspaper libraries, became familiar with particular police union-management issues which had arisen in each city in recent years. The investigator then pursued each party's relationship to these issues in subsequent interviews. This approach permitted the researchers maximum freedom to investigate the parties' actual conduct and impact on each other.

Before summarizing our findings, we apologize for the fact that the anonymity of the responses may inconvenience those who want to know *what* city was involved. Information of this type is only available if anonymity is provided and we have no intention of embarrassing any of our respondents. Second, please note that the research results in this report cannot and should not be generalized to cover all labor-management relations in the police service. Our study consists primarily of observations in 22 unionized cities, and it was never our intention to select a sample which might be representative of the several thousand police agencies in this country. Finally, our data was collected in the summer and fall of 1971. Fact situations may have changed, but we have based our report on the data collected then.

POLICE EMPLOYEE ORGANIZATIONS

POLICE ORGANIZATION DEVELOPMENT

Enduring police employee organizations have existed in many cities since the turn of the century. Over the decades, these organizations have at various times provided welfare benefits for their members, lobbied for higher pay, and fulfilled certain social and fraternal needs. Police organizations in many cities affiliated with the organized labor movement after World War I; but the notoriety of the 1919 Boston police strike quickly ended these attempts at affiliation and, more importantly, had a chilling effect on police union organization efforts by organized labor for several decades.

Despite this chilling effect on labor union affiliation, policemen during the post-1919 period continued to form local associations many of which affiliated with larger state or national groups. By the 1960's the two largest of these national organizations were the International Conference of Police Associations and the Fraternal Order of Police. In addition, the American Federation of State, County, and Municipal Employees (AFL-CIO) and two other (police only) organizations had also been organizing police officers. By the time that police militancy emerged into full public attention late in the 1960's, most urban policemen were members of some kind of employee organization which was available to serve as a vehicle for the expression of increased police discontent.

EMERGENCE OF POLICE MILITANCY

We identify four factors which we feel have contributed to police employee dissatisfaction and three which contributed to the willingness of the police to engage in the use of militant tactics such as job actions.

The first factor contributing to police employee dissatisfaction is the increased public hostility toward the police in the 1960's. This is a broad label which includes such specific phenomena as the emergence of black and student militancy, U.S. Supreme Court decisions which were seen as restricting police discretion, the clamor for civilian complaint review boards, increased violence directed at the police, rising crime rates, and the frequent police employee perceptions of a lack of support for police actions among top police and city officials. Second, while the police faced increased public hostility, they also faced the problem of coping with increased public demands to solve the "crime problem" i.e., the call for "law and order." Thus, many of the same environmental factors which made the policeman's job more difficult also tended to increase the demands for more effective police work. Third, the more hostile and demanding environment increased the police work load and the perceived danger of the job, while at the same time most policemen felt that their economic rewards had not increased commensurately. Finally, employee dissatisfaction had been exacerbated by the existence of poor personnel practices within most police departments (no grievance procedures, no premium overtime pay or court time, etc.).

These four factors offer a possible explanation for the increase in police employee dissatisfaction in recent years, but three other factors are important in contributing to the overt ex-

pression of police militancy. First, the fact that the confrontation tactics of blacks, students, and groups of organized public and private employees have achieved both attention and results was not lost on the police. Second, today's urban police forces have a high proportion of young policemen who appear to be more willing to engage in overt action to achieve their goals than older officers. Third, the high degree of occupational cohesion among policemen contributes to a propensity for the police to be more aggresive in the pursuit of group goals than most other groups of city employees (with the exception of firemen).

While police militancy may emerge in many forms, the most visible widespread response has been the emergence of police employee organizational militancy, either through the formation of new aggressive organizations or through the transformation of relatively complacent existing associations into more active organizations.

POLICE UNIONS TODAY

Our research shows that national and state bodies do not play major roles in police labor relations at this time; police unionism is primarily a local phenomenon. This local emphasis is due primarily to the fact that the police industry is a local industry: labor is recruited locally, the product is delivered and consumed locally, and local taxes pay the bill. Because this reduces the collective bargaining arena to local city officials versus local union officials (although sometimes the state legislature may become involved), the role of a national organization is minimized—especially when compared to the industrial situation in the private sector—where the existence of multiplant companies and a national product market necessitates a leading role for the national union. The locus of collective bargaining may be one reason why the FOP and ICPA with their emphasis on local autonomy have been more successful in this field than AFSCME, NAGE, and SEIU where the emphasis is essentially on a strong national organization. Should the center of bargaining shift, so too would the center of organizational strength.

THE STRUCTURE, SCOPE, AND PROCESS OF LABOR RELATIONS

LABOR RELATIONS STRUCTURE

One of the chief characteristics of public sector and police labor relations is the fragmentation of managerial decision-making authority. In addition to posing multiple adversaries for the union (as we will see later, this fragmentation also offers multiple potential allies with whom police unions may coalesce), this fragmentation raises the question of who is the employer. Generally, labor relations is an executive function, though legislative approval of changes in budget items is almost always necessary. City councils tend to have stronger labor relations roles in weak-mayor and council-manager cities than in strong-mayor cities. The extent of police management involvement in union-city relations varies, but the basic thrust of such involvement is to protect managerial prerogatives.

Police unions also deal directly with police management over departmentally-controlled employment conditions. Local elected union leaders who are full-time policemen dominate union affairs, though hired attorneys may play leading roles as union representatives. State and national police union officials play very limited roles in union-management relations (unless they also happen to be local leaders). Police labor relations are very localized, with almost no multiemployer or multiunion negotiation units (though the unit of direct impact in a single city may extend far beyond the police department).

THE SCOPE OF LABOR RELATIONS

Our analysis suggests that police unions are not significantly different from other American trade unions in their desire to participate in the determination of a wide variety of direct economic and noneconomic conditions of employment. Police unions have devoted significantly greater resources toward securing "bread and butter" goals than law enforcement policy goals (though union efforts may have a decisive impact on policy issues). As in the private sector, police unions have attempted to participate in subjects which police management regards as solely within the sphere of managerial prerogatives and there are many issues in which police unions have attempted to establish a voice by means outside the institutionalized collective bargaining process.

THE LABOR RELATIONS PROCESS

Collective bargaining in the private sector is characterized by bilateralism (two parties participate in bargaining—the union(s) and the employer or employer association representative) within the existence of economic market constraints (employers can be priced out of the market and the workers will lose their jobs). Public sector bargaining is quite different. The fragmented management authority structure and political context in the public sector tend largely to eliminate the existence of private sector-type bilateral collective bargaining arrangements. We found that because of local government's fragmented authority structure, the lack of institutionalized collective bargaining procedures in several cities, and the necessity for many employment conditions to be changed via the legislative

or electoral political processes, police unions cannot and do not use the institutionalized collective bargaining framework exclusively. Because police unions engage in lobbying, elective politics, referenda campaigns, and other political activities, it seems appropriate to include all such behavior under the label of "police labor relations."

While 18 of 22 of our sample cities have a formalized collective bargaining system through which most union-management contracts are channeled, many significant union-management interactions occur outside the *collective* bargaining system and we refer to this process as *multilateral* bargaining. Governmental multilateral bargaining includes exploiting the divided management authority structure through such processes as public and private lobbying, whereas community multilateral bargaining includes direct involvement or pressure from citizens or community groups in the union-management relationship, including union attempts to secure voter approval of union goals. Unions in cities which have no collective bargaining procedure use the traditional political interest group methods such as public and private lobbying, public relations efforts, and direct appeals to the voters for approval of benefit increases to obtain union goals. Five of the cities in our sample have had experience with the compulsory arbitration of negotiation impasses. We found that in these five cities compulsory arbitration has tended to reduce genuine good faith efforts to reach agreement on the arbitrable issues via the negotiation process.

THE DIMENSIONS OF POLICE UNION BARGAINING POWER

Bargaining power is the ability to move your opponent to your way of thinking, usually by showing him that the cost of agreement within your terms is less than the cost of disagreement. In the private sector the cost of disagreement is usually expressed in economic terms through a strike (union) or lockout (employer). In the same vein, since police labor-management relations take place in a political environment, the union's bargaining power consists primarily of the ability to inflict political costs or bestow political rewards. For analytical purposes we distinguish between contextual sources of union power and directly manipulatable sources of union power.

CONTEXTUAL SOURCES OF POWER

The economic context of police bargaining includes four salient variables which may add to or detract from the strength of the union's bargaining position with management, particularly over money items. These are the supply-demand pressures in the local labor market, changes in the cost of living, orbits of coercive comparisons with other visible groups of employees (usually other police or high-wage groups), and the city's ability to pay. While the union can influence supply (through restrictions on hiring standards) or the city's ability to pay (through efforts on behalf of tax proposals) the union does face a relatively fixed economic context at any given point in time.

The statutory context governing police union-management interactions is extremely important. The existence of a statutory provision which requires a city to bargain collectively if a majority of the police desire to do so means that a city can no longer treat employee representatives as supplicants, but instead must negotiate with them as equals.

The political environment in which a police union operates contains three important dimensions which affect the union's power. The first is the balance of political power, or the manner in which the concentration or diffusion of political authority affects the union's ability to increase its bargaining power by allying with various political figures. Second, the emergence of "law and order" politics in the latter 1960's has affected police bar-

gaining power by making it more costly for elected officials to oppose many union demands and thereby appear "anti-police." Third, the political concomitant of the city's ability to pay is the degree of the city's willingness to pay for police services. If city officials accord high priority to funding police services, this willingness is a source of union power. While not directly manipulatable, this latter can be influenced indirectly by union political activity.

The high degree of occupational cohesion in the police service is a source of union power, for it increases membership willingness to agree to and support a course of action.

At any particular point in time a police union must accept as given the quantitative and qualitative natures of the sources of power discussed above (though in the long run, the union can affect these variables). Union leaders, however, have some choice in the application of the sources of power identified below.

DIRECTLY MANIPULATABLE POWER

A police union's direct sources of power may include: a higher degree of negotiating expertise; the filing of court actions; lobbying (both public and private, with legislative and executive branch officials); electoral politicking (which includes bargaining publicity, issue electoral efforts, candidate electoral efforts, and other efforts designed to change the voters' opinion in favor of the union's goals); disruptive politicking (the ability to actually or convincingly threaten to disrupt the delivery of normal police services to the citizenry, usually through job actions); the ability to enter into long-run alliances with other unions or with politicians; the use of dispute resolution mechanisms (mediation, fact-finding, arbitration); and the use of the power of anticipated reactions (i.e., management's concern for the union's reaction if management pursues a particular course of action). These sources of power are very interrelated: for example, we found situations where one tactic was substituted for another (after an issue's electoral effort failed, the union obtained the desired goals by lobbying in the city council and the state legislature). We also found that the units of police union power are not independent of each other but are more accurately perceived as being arranged in a loose hierarchy. For example, the high level of occupational cohesion, the perceived essentiality of police services, and the police coercive license form the foundation for the exercise of other sources of power. The statutory context may provide the opportunity to engage in collective bargaining or use dispute resolution mechanisms. We found the unions' use of power to be shaped by such variables as the nature of the issue, the relevant political structure (the existing combination of *de jure* and *de facto* governmental decision-making authority), union leader preferences for various courses of action and perceptions of success, and the economic and political costs of using various sources of power. We did not attempt to quantify amounts of power because of the extreme difficulty of devising accurate comparative measures.

UNION IMPACT ON THE POTENTIAL FOR PROFESSIONALIZATION

We found a large variety of opinion among police executives and union leaders regarding the concepts of the police profession, the professional policeman, and the professional police department.

THE CONCEPT OF PROFESSIONALIZATION

The term *profession* refers to an abstract ideal model, which occupations strive to achieve because the attainment of professional status brings with it several rewards. Some of these rewards are monetary but more important, professional status involves a great deal of autonomy in the way in which the occupation carries out its work, i.e., knowledge is assumed to be so specialized that only members of the profession can deal authoritatively with problems in their jurisdiction.

The process of *professionalization* is the achievement of professional status—the extent to which an occupation has achieved the ideal state. We believe that the degree of professionalization can be measured by observing three scales: the extent to which the locus of specialization is occupational as opposed to individual or organizational; the extent to which the occupation stresses the process by which ends are achieved as well as the ends themselves (and the extent to which the reward structure emphasizes process over product); and the extent to which there exists a body of intellectual knowledge which can be codified and transmitted abstractly. Applying these measures to the policy service, we found that the police are still at the beginning of the professionalization process and that it is not clear whether professionalization is the most effective way to achieve the goals of a police agency.

PROFESSIONALIZATION AND THE POLICE SERVICE

We have defined professionalization as the process of achieving the ideal state of a profession. This is not the definition being used generally in the police service. Rather, we found two other definitions which serve as the object of professionalization efforts: the first is the *struggle for professional status;* the second is the desire for a *professionally led department.*

A professionally led department is one in which efficiency and managerial rationality are emphasized to the exclusion (or attempted exclusion) of politics. The struggle for professional status involves the quest for the trappings of professionalism; e.g., autonomy, professional authority, the power to determine the character and curriculum of the training process.

We found that many of the unions in our sample have systematically frustrated management's quest for professional status. The actions of these unions regarding advanced education, lateral transfer, development of a master patrolman classification, and changes in recruitment standards have been essentially negative and from management's point of view, clearly counterproductive. Police unions appear to see advanced education and master patrolman proposals as wedges to obtain more money for all their members, whereas management sees them as a way

of rewarding individual achievement. We classify both of these under the quest for status rather than professionalization because in each case it has yet to be shown that the proposed move would, in fact, lead to increased professionalization. Lateral entry, on the other hand, would represent a move toward increased professionalization in that increased mobility would help to shift the locus of specialization from the organization to the occupation. Here, however, in most cases the unions and management have been opposed and where management was in favor, the union was opposed. The question separating management and the unions on changes in entry requirements is whether such changes should be viewed as *lowering* standards (union position) or introducing the concept of *flexible* standards so as to better meet the goals of the agency (management).

The potential impact of the police union movement may be greatest in achieving the professionalization of police supervisory and managerial personnel. To the extent that unionization will drive a wedge between patrolmen on the one hand and the sergeants, lieutenants, and captains on the other, and force a recognition of their differential responsibilities within the department, this realization may open the door to the type of specialization prerequisite to the professionalization of management in police agencies. However, we are not terribly optimistic in this regard, since the majority of the unions in our sample strongly preferred to have patrolmen and the superior officer ranks in the same bargaining unit and union.

THE IMPACT ON THE CHIEF'S ABILITY TO M ANAGE

The demands of police unions seem to be consistent with traditional trade union demands regarding wages, hours, and other conditions of work. For all their talk of professionalization, the police appear to be quite indistiguishable from steel workers or auto workers in their on-the-job concerns.

MONEY ITEMS

Particularly in the area of wages the demands of police unions have been traditional—higher wages, time and a half pay for overtime, compensation for call-in, call-back, and standby, protection against abuse of court-time requirements. The major impact of these wage demands has been to force management to come to grips with the fact that the human resources of the department are not a free commodity but rather a scarce commodity, which in turn requires management to deal with the problem of allocating those scarce resources among competing ends.

Other police union monetary issues include higher pensions, earlier retirement, increased uniform and equipment allowances, increased pay differentials among the various ranks, and in some cases, an attack on police-fire pay parity where fire fighter pay parity is seen as limiting the ability of the police to secure greater benefits for themselves.

HOURS AND WORKING CONDITIONS

Some unions have had a substantial impact on scheduling. In cities where management has tried to introduce a fourth shift during the high crime hours of 6 p.m. to 2 a.m. the typical union response has been one of strong resistance. Similarly, some unions have resisted the changing of other shift hours. In several cities unions have sought shorter work weeks. Union demands for paid lunch time, paid roll call time, paid court time, time and a half for overtime, pay for call-in, call-back, and standby, and payment of a night shift differential have all had an impact on management's ability to freely allocate manpower in the traditional manner.

Police unions in our sample have expressed the same kinds of protectionist concerns over working conditions issues as private sector unions. For example, most of the unions in our sample have opposed the civilianization of police department staff and support jobs (clerical, administrative, technical, traffic control) though few of these resistance efforts have been successful. Most policemen and police unions are vehemently opposed to one man police cars; in some cases, union opposition has been successful, while in other cities management has expanded the use of one man cars over union objections.

Seniority is seen by the men as a factor guaranteeing equal opportunity and a hedge against favoritism, and police unions generally have sought to make seniority an important variable in shift and job assignments and a more important factor in promotions. Management has successfully resisted most union efforts for strict seniority provisions but has increased the use of seniority when it did not unduly restrict management's ability to deploy manpower. Police unions have

secured a measure of protection for their members against arbitrary transfers; pushed for broad moonlighting rights; resisted the introduction of a requirement to wear name tags on uniforms (in some cities); and objected (largely unsuccessfully) to stricter controls on the use of sick leave. Unions have also resisted departmental reorganization where they did not participate in the planning and implementation of the changes.

With regard to discipline, unions have pressed for regularizing procedures, minimizing ad hoc decision-making on punishment, and eliminating certain kinds of punishment such as working days off and long suspensions with no right of appeal. Union pressure has tended to make hearing procedures more legalistic than previously and to insure greater attention to the civil rights of officers during investigations, hearings, and appeals.

In sum, police unions have narrowed management discretion, fostered the development of management by policy, and they have protected employees against arbitrary or inconsistent treatment. In a few cases, contractual provisions negotiated between the union and the city have caused serious managerial problems, but the primary union impact has been to force police management to focus greater attention to the needs and wants of policemen and to improve personnel practices within the police department.

IMPACT ON THE FORMULATION OF LAW ENFORCEMENT POLICY

The question of what constitutes law enforcement policy is a difficult one. A department has many policies: on prostitution, on use of sick leave, on the number of times squad cars are washed each month. The first is clearly a law enforcement policy issue; the others are administrative policies. A more difficult plan arises when we attempt to classify policies regarding "manning." We discussed manning under the rubric "ability to manage," but the use of civilians, the number of men in a squad car and the number of cars on the street are also an important aspect of law enforcement policy. Conversely, the use of weapons is discussed under law enforcement policy but is also clearly related to the chief's ability to manage. A further complication is the fact that the unions have not so much raised policy issues directly as they have attacked specific issues which have policy implications. Civilian review is opposed because civilians cannot appreciate the street problems of an officer, but the underlying issue is less thoroughly discussed—who will control police behavior, who will make policy.

A final complication in discussing impact on law enforcement policy is the fact that recent court decisions have broadened the rights of public employees in the areas of free speech and participation in elective politics. Both of these developments serve to legitimize the participation of police officers in debates on law enforcement policy and legitimize their participation in all aspects of the policy making process, thus encouraging the expansion of these kinds of activities.

ISSUES

We have grouped the objects of police union activity in this area under five issue headings. The five issues and the incidents associated with them are: how is the law to be enforced (calls for 100 percent enforcement of the law, electoral political activity for favored judicial candidates, prosecutors, and others with policy making powers in this area; and impact on entry standards, minority recruitment, and residency requirements); the functioning of the criminal justice system (court watching, the electoral political activity mentioned above); the use of force (number of weapons, type of weapons, conditions under which weapons will be used and review of conditions under which force was used); the involvement of civilians in the review of police actions and behavior (civilian review as an issue in 12 of the 22 cities); and the degree to which a police agency should facilitate identification of police officers where a complaint is filed (name tags, badge numbers painted on riot helmets, officer liability if asked to appear in a line up).

IMPACT

It is important to distinguish the direct impact of police unions from the indirect impact. On a direct impact level the unions' influence was spotty. The greatest direct impact was on the issue of civilian review where several unions were successful in thwarting implementation of proposed—or elimination of existing—review boards. Other successes were in in the areas of lobbying

for criminal statutes, electing "law and order" judges, prosecutors and mayors, hampering efforts at flexible standards to encourage minority recruitment, and influencing weapons policy and the use of civilians.

The indirect impact is a much more difficult area with which to deal. While direct impact is observable, in the long run the indirect impact—which is less subject to direct measure—is apt to be the more important implication of the police union movement involvement in policy formulation. One aspect of this is the extent to which the chief and other police officials have failed to take action because of anticipated reactions from the union. A second aspect of indirect impact is the fact that the public statements of police unions on policy issues and their endorsements in political campaigns have tended to contribute to racial polarization in several communities. Thus, while the unions may have valid reasons for opposition to civilian complaint review boards, gun guidelines, coroners' inquest procedures, or Model Cities programs, and while each officer accused of misfeasance or malfeasance deserves a vigorous defense, the fact is that these efforts are perceived as hostile signs in the black community.

The major impact of the union, then, may have come less from direct success in implementing change than it has come indirectly through creation of an environment of tension and through possible frustration of more aggressive behavior by elected officials anticipating the union's response. These specific issues are part of larger political questions: not civilian review but whether the police or civilians will make law enforcement policy; not weapons policy but the question of who determines the conditions under which fatal force will be allowed. The resolution of these issues will not be a function of collective bargaining unless the parties, especially management, make a conscious effort to bring these subjects into the bargaining process. In the absence of such conscious effort, they will remain political issues to be fought out in the political arena.

BLACK OFFICER ORGANIZATIONS

We found that black officer organizations exist in almost every city we visited which had more than 25 to 30 black policemen. We talked with organization representatives in eleven cities.

DEVELOPMENT, AREAS OF CONCERN, ACTIVITIES

Black police associations in some cities evolved from social and fraternal organizations into "racial rights" organizations and in others they were founded in recent years explicity to seek satisfaction of racially-based grievances. In either case, the organizations centered their energies on two types of grievances—grievances arising out of the relationships between black officers and white officers and the role of the black officer in the department; and grievances arising out of the relationship between the police agency and the black community.

Complaints on intradepartmental relations included lack of promotional opportunities (vertical segregation), prohibition of blacks from holding certain jobs (horizontal segregation), blacks being disciplined unjustly, and prejudicial treatment of black officers by white officers. Specific community relations efforts included: recruiting efforts to increase the number of black candidates and classes to prepare candidates for the examination; protesting police mistreatment of prisoners; offering assistance to citizens in filing complaints against police officers; forming alliances with black activist groups in the city and sponsoring athletic, social, and recreational programs for black youth.

We found a wide range of militancy among black officer associations with the degree of militancy being a function of the perceived hostility of the department's managerial hierarchy (including the chief); the perceived hostility of the majority union; association leader preferences (for various courses of action); and the balance of political power within the association between the militant members and the more conservative ones.

BLACK-WHITE POLICE RELATIONS

Our evidence suggests that relations between black and white policemen are quite poor, and appear to have become publicly worse in recent years. Why? First, there are many more black policemen than there used to be, thus increasing the frequency of black-white police interaction. Second, most of these recent black entrants are young men whose racial abuse tolerance level is extremely low. Black policemen have become quite willing to fight back at instances of racial injustice, and this aggressiveness has made many white policemen fearful, distrustful, and antagonistic toward black officers.

These poor individual relations have carried over to the relations between the black associations and the white-dominated majority unions. Probably the most important reason for these poor inter-organizational relations are union fears that the black associations may be attempting to usurp the unions' exclusive representation role. In addition, white policemen, including union leaders, appear to resent the black associations

because these groups have emerged as the vehicles for black officer protest, much of which is directed at the whites.

Despite these fears, we found that in most cities the union fulfills the traditional role of bargaining for economic and noneconomic benefits and pushing traditional grievances (overtime, seniority, transfer, discipline, etc.) for all of its members, while the black officer association concerns itself with the racial grievances of its members and improving police-black community relations. Black policemen appear to be as appreciative as white policemen for union-achieved benefits, yet black interviewees said that white union officers could not properly represent the racial interests of black policemen, and hence the need for black officer associations.

Just as police unionism is primarily a locally-controlled phenomenon, so are black associations mostly local efforts. We encountered two regional and one national organizational amalgamation of local associations which hold occasional meetings to exchange information about their activities and to obtain publicity for their efforts. While originally we had concluded that because of personal differences, limited financial resources, and especially the localized nature of black association operations it might be some time before a national black organization became solidly established, we do note that the National Black Police Association, formed in 1972, has apparently bridged many of these difficulties and brought most of the local and regional associations together in a national organization dedicated to increasing the number and responsibilities of black policemen.

SOME CONCLUDING OBSERVATIONS

It is our feeling that the major impact of the union has been the creation of a new system of governance in the police agency to which management will have to adapt itself. Adaptation involves two major adjustments. The first deals with the rationalization of the bargaining process and the second with the role of the chief.

RATIONALIZING THE BARGAINING PROCESS

The diversity of managerial jurisdictions and the changing constitutional climate regarding free speech and political activity for public employees provide both a motive and an opportunity for police employee organizations to exploit the power potential inherent in the current labor relations process. However, the union incurs two costs in this process: its competition with management in several jurisdictions making bargaining a never-ending process and limiting the extent to which it can effect *quid pro quo* since issues are spread over so many different bargaining arenas. If management were willing to offer a commitment to jointly seek necessary legislative and charter changes necessitated by contractual agreements, and if management were willing to recognize a need to buy out the power advantages which the union was giving up by coming to a centralized bargaining table, some kind of rationalization might be achieved. Management can gauge the cost of buying out this power advantage by considering the advantages it gains, not only in power equalization, but also in the ability to exercise some measure of control over the size and shape of the total employment relations package.

THE ROLE OF THE CHIEF

The "traditional" autocratic authority of the chief in personnel matters has been undermined, the victim not only of union pressure but also of the underlying changes in the environment, which give rise to the union—high turnover, a declining average age, the tight labor market of the 1960's and the other factors discussed above. The union's role has been to negotiate a new set of operating rules which move the system toward some new equilibrium positions: management by policy; protection of employees against arbitrary or inconsistent treatment; and the institutionalization of the mechanism of collective bargaining for continuing power based interactions.

This new system of governance not only entails shared decision-making power and review of management personnel decisions, it has also formally removed the sole responsibility for the formulation of personnel policy from the chief's hands to a central labor relations office. To maintain a firm hand the chief will have to play several important roles in the collective bargaining process. Most important he will have to insist on a seat in the policy council of the management bargaining team for himself or his representative. Second, he will have to emphasize the program and capital requirements of his budget so his entire resources are not absorbed in personnel expenses. He will have to advise on what

new clauses he wants in the contract and which clauses he would like to see revised. He will need to review union proposals for their potential impact on the operation of the department and review management counter-proposals as well. In short, he must insist on an active role in the bargaining process in order to maintain his ability to manage in the "new order."

THE BARGAINING PROCESS AND LAW ENFORCEMENT POLICY

One of the major problems in policing today is "how to be responsive to the majority interest in the community while protecting the rights of minorities." It is in the context of this question that the law enforcement policy issues raised above have real meaning. In our discussion of these issues, or more correctly the manifestations of these issues, we saw how the union, regardless of motivation, was essentially a conservative, reactionary force. We discussed the implications of the impressions these union actions create among members of the minority community, especially minority perceptions of police attitudes toward them.

As we have emphasized, however, this behavior by police employee organizations would not cease if both unionism and collective bargaining were to be outlawed tomorrow. Rather, police employee organizations would continue to utilize the media, the courts, the legislative process, and electoral politics (both issue and candidate oriented) to achieve these same goals. In fact, the addition of collective bargaining to these other channels of communication and action serve to enhance, rather than restrict, the rights of minorities *over the long run.*

Some of the encouraging steps we perceive in the protection of minority rights are the rise of black officer associations; the fact that some racial grievances can be filed in an established grievance procedure (perhaps leading to final and binding arbitration); and the fact that regularized discipline procedures protect blacks and whites. As more minority group members become police officers, and as blacks gain increased political power in our major urban areas, these institutionalized procedures will gain even more significance. Thus, the machinery now being established and utilized for the purposes of the incumbent majority will continue to be utilized for the purposes of the future majority, even as the nature of that majority changes over time.

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